

AMENDMENT
U.S. Appln. No. 09/970,682

REMARKS

Upon entry of the claim amendments, Claims 3, 5-6, 8-20, 24, 26-27, and 29-34 will be all the claims pending in the application.

Independent Claims 9 and 14 have been amended by incorporating therein subject matter from Claims 4 and 25, respectively. Claims 4 and 25 have been canceled.

Claims 17, 20, 31, and 34 have had their dependencies amended.

No new matter has been added.

Applicants note with appreciation the withdrawal of rejections at page 2 of the Office Action.

I. REJECTION UNDER 35 U.S.C. § 103

Referring to Section No. 2 at pages 3 and 4 of the Office Action, Claims 3, 5-6, 9-11, 13-14, 19, 24, 26-27, and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,499,149 (“Berger”).

Applicants respectfully traverse.

Applicants note with appreciation the examiner’s indication of allowable subject matter at Section No. 6 (page 5) of the Office Action. For example, it is indicated therein that Claims 4 and 25 contain allowable subject matter.

Independent Claims 9 and 14 have been amended by incorporating therein subject matter from Claims 4 and 25, respectively.

Accordingly, Applicants request the withdrawal of the present §103 rejection.

II. OBJECTION UNDER 37 C.F.R. § 1.75

Referring to Section No. 3 at page 4 of the Office Action, Claims 20 and 34 are objected to under 37 C.F.R. § 1.75(c).

In response, Applicants have amended Claims 20 and 34 to depend from Claims 9 and 14, respectively.

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Withdrawal of the objection to Claims 20 and 34 is requested.

III. REJECTION UNDER 35 U.S.C. § 112

Claim 26 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. According to the examiner, Claim 26 does not further limit Claim 14.

Applicants respectfully traverse.

Claim 14 recites that the mineral filler is selected from the group consisting of oxides and nitrides of B, Al, Ti, Zn, Zr, Cr, and Fe, silicates, and mixtures thereof. Claim 26, on the other hand, recites that the mineral filler is selected from the group consisting of oxides and nitrides of B, Al, Ti, Zn, Zr, Cr, and Fe. The relationship between Claims 14 and 26 is similar to the relationship between Claims 5 and 9.

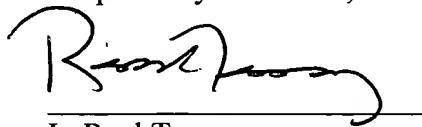
Reconsideration and withdrawal of the §112 rejection is requested.

IV. CONCLUSION

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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